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2023 Cleveland Heights Charter Review Commission

Survey for Mayor and City Council

We all recognize that changes have made to the Charter to effect and reflect an elected mayor form of government. The charge to this Commission is to review the Charter and develop recommendations for amendments, if any, in the best interest of the City. This consideration is to include whether amendments are necessary or advisable, to better and further implement the Mayor-Council form of government. The Commission is also charged to review the 2019 final report of the 2019 Commission.

For each category below, please consider further changes to the Charter that, in your opinion, the Charter Review Commission should consider, without necessarily implying that you would make such a change.

1. What are the most important changes to the Charter that you would like to see as a result of this Charter review process?
 - a. For appointments, the 45 days to decide is ok, but 60 would be better. However, having them run for election at the next election is not reasonable. If you look at an example, Gail had to run immediately to finish her term and then another time to get re-elected. Given the cost of elections and the disruption of having to do so many, it is not reasonable. That should be removed and the person should fill the remaining term. If you decide that an election is good, make it the next municipal election only if there are 3 years remaining in the term, not the next election. Although I still think its better to just have them finish the term.
 - b. I think staff should attend either COTW when their legislation is being voted upon and the President requests it. They should submit written reports to administration with a copy t council regularly.
2. What changes, if any, should be considered regarding the balance of powers between the Mayor and City Council? For example:
 - a. There has been debate concerning the extent to which members of City Council may request information from, or communicate with, “the administrative service”. This is a carry-over from the prior Cleveland Heights City Charter, for a city manager form of government. Should the

existing Charter text, permitting requests only for “the purpose of inquiry”, be deleted, or should the charter otherwise address the process by which City Council members request information from City departments and accountability for responses to such requests? **Processes should not be addressed in the charter as that does not allow for changes as circumstances and technology changes. Processes should be agreed upon with the administration or be an ordinance which is more easily changed.**

It is also important to remember that staff needs to do their job and not be overwhelmed with requests from council. Staff should respond to inquiry so that should remain. If there is a committee meeting which covers their area (i.e. public works and Municipal services committee) and their input on a proposed legislation is needed, they should attend. This can be addressed in legislation, not the charter. If a request is made that is not reasonable for the staff to because of the amount of time and research, the council has the budget to hire a consultant to accomplish it.

- b. **Should the Charter be modified as to the authority to establish or determine the organization and duties of each department? Absolutely not. It is up to the boss (mayor) and directors to determine the best way to set up the organization as they do the job everyday. People who do not do the job should not be dictating organizational structure and duties. I would say the minimum. Just define the necessary FUNCTIONS (not departments) like public works (inc. refuse and recycling, streets), law, finance, parks and rec, facilities, planning, economic development, housing inspections, building. How the administration chooses to set up his departments should be up to the administration. For instance, in the city manager government planning, economic development, housing, and building were all separate departments. Now all 4 reside in the Planning and Development Department, which makes sense. .**
- c. **Should the Charter be modified to require City Council approval for hiring of directors beyond the Directors of Law and Finance? Law, Finance, City Administrator should be approved by council. Having too many people weighing in and potentially being political with positions like public works, housing, economic development, IT, etc. could result in city services not being performed for an extended period. Law, and Finance make sense because we in council are responsible for legislation and budget. City administrator is an important role as much of the day to day reports to the administrator. So I would include administrator. The other directors should be up to the Mayor.**
- d. **Currently, the Mayor appoints the Civil Service Commission, subject to City Council approval, and the City Council appoints the Planning Commission. Should the method of appointment to the City commissions be changed? Some things report to the mayor and some report to council. It doesn't necessarily matter who appoints. Either way, council has a say. One thing I**

don't like when council appoints is that it gets political as was the case with the charter review commission. I witnessed this politicalness of appointments even when I was not on council and just attended meetings. I would rather see the mayor appoint and council approve. It is the mayor's job that is at stake with the voters if he does bad appointments, so he is incented to appoint people who will do a good job. For council, it seems to end up being who is friends with who and who will support certain council members. With council making appointments, it is too political. A compromise position is to have a number appointed by council and another number appointed by the Mayor with council approval.

If a commission is to advise council or advise council and administration, it should have a mixture of council and administrative appointments with approval by council. If a commission is to advise the administration (arts commission) it should have mayor's appointments approved by council, but not necessarily any council appointments. Alternatively, a good solution would be for all commissions to have council and administrative appointments.

- e. The method of filling vacancies on City Council was changed in 2022. Are any further changes needed? See question response 1a. Change it to 60 days and have them fill the remainder of the term. .
- f. Do you recommend consideration of other changes as to the balance of powers? The residents voted for a strong mayor form of government. This is what they got. Council has power in approval of appointments or appointments they make and has budgetary power and legislative power. This is a good amount of power. There are not other changes other than those discussed above that I would suggest. I think trying to change to powers back to be more like city manager form of government is going against what people voted for.

Please briefly explain the reasons for your answers.

- 3. If not included in your responses above, do you think that the Commission should consider these changes:
 - a. Adopt Ranked Choice Voting I think if there is time, then the CRC should consider this to determine what they recommend and why.
 - b. Change the way City Council is elected - change to electing City Council by wards or by a hybrid method of wards and at large, as opposed to retaining at large I think it is worth looking at if there is time. It would allow more minorities to get into the races. I think a hybrid is more common.
 - c. Add to the Charter provisions as to ethics expectations for the Mayor, City Council and Department Heads and training for the Mayor and City Council All council must respond to the state on ethics each year. I don't think it is a bad idea, to place ethics in the charter provisions for everyone in the city government. It can be detailed as to what is a violation of ethics. Or this

could be done as a legislation

Training is not really a charter item as again, it will set in stone things that may change over time. Training was provided to council through OML, NEOACC, and individual trainings set up by the council president with the staff. The Mayor has attended various trainings as well. I think it is up to each council. Opportunities for training are provided with memberships and funding in budget. Council members should take advantage of the opportunities.

- d. Add a comprehensive nondiscrimination policy statement **We have legislation on non-discrimination as it is. Although, I am not opposed to it being in a charter. This is something I think legal should weigh in on.**
- e. Add provisions to protect the rights of residents without citizenship, such as sanctuary city status **We addressed this legislatively a number of years ago and became a welcoming city rather than a sanctuary city because of the potential implications of federal funds. If this is considered, it should be considered the implications with changes in federal and state government policies on funding.**

Please briefly explain the reasons for your answers.

- 4. As to the final report of the 2019 Charter Review Commission, are there particular changes recommended in that report (apart from any relating to the City Manager), which you recommend that the current Commission consider?
 - a. In particular, should these changes be considered:
 - i. Gender neutral language and modernized language **Yes**
 - ii. Initiative, recall and referendum provisions **If anything these should be made easier, though not so easy as to have constant events.**
 - iii. Charter review timing **No change.**
 - iv. Changes to provisions on finances and budgeting **Requiring a multi-year capital budget and annual budget be submitted is good and requiring posting it to the public although I wouldn't specify how to post or leave some outs so if technology changes it isn't outdated. In the budget language, please include language that establishes budget hearings that are to be set by President of Council, consulting with the Finance Director and Mayor. Additionally, monthly reports provided to council and have it posted as well. Also requiring a State of the City Address annually.**
 - b. Are there any other recommendations from the 2019 Final Report that you recommend be considered by the current Commission?
Reduce the number of signatures required to get on the ballot to something like 50 or 100. State Rep and County council are in that range. Our current requirement is much higher than that. A lower limit will encourage more

candidates to run.

In 3.2 it excludes school district employees from CH/UH and EC from running for council. It seems they should be allowed to and for the few times there could be a conflict of interest, they can recuse themselves from a vote.

Emergency legislation should have language changed because they are not truly an emergency. These are things that we pass and want to go into effect immediately rather than waiting 30 days. Most things are that way. Residents become confused because they think the city is trying to sneak through things they don't know about as emergencies. These are things like authorizing the mayor to solicit RFP's, accepting a bid for salt, etc. Most things you want to take affect when voted in. So renaming it something like, legislation for immediate affect, would be appropriate.

Please briefly explain the reasons for your answers.

In General, I think a charter shouldn't have too much detailed specificity or it will become a cumbersome dinosaur as circumstances, technology, and the city changes. There needs to be flexibility. So the charter should cover what is necessary and won't change – like how council is elected, etc. Ordinances can bring specificity that is easier to change, like process.